

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:09cv421**

CENVEO CORPORATION,

Plaintiff,

Vs.

**TOM BRENNAN, doing business as
Cadnus.com,**

Defendant.

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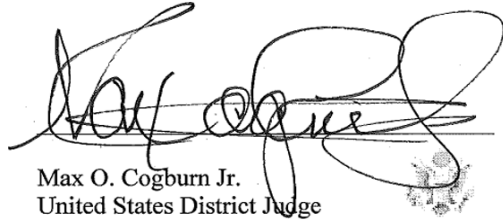
ORDER

THIS MATTER is before the court on defendant's Motion to Dismiss Counts I, III, and IV of the Amended Complaint. After hearing, the court entered an Order holding consideration of such motion in abeyance and allowing plaintiff leave to file a Motion to File a Second Amended Complaint not later than May 27, 2011. While that deadline passed without action, counsel has communicated with chambers in good faith concerning amicable resolution of this matter; however, the dates suggested by the parties have consistently passed without action. The court will, therefore, set a deadline by which the parties must take action or appear and show reasons why this court should not take further action to move this matter forward.

ORDER

IT IS, THEREFORE, ORDERED that plaintiff comply with the previous Order of this court or that the parties jointly file a Rule 41 stipulation, all not later than the close of business on Monday, July 11, 2011. If such has not been accomplished by that date and time, counsel for the respective parties shall appear at 12 noon on Tuesday, July 12, 2011, in Courtroom Number 1 of the United States Courthouse in Charlotte and there show reasons why this court should not take further action.

Signed: July 8, 2011

A handwritten signature in black ink, appearing to read "Max Cogburn Jr.", written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

Max O. Cogburn Jr.
United States District Judge